

### **REMARKS/ARGUMENTS**

Claims 3-4, 7-9, 12-14 and 16-23 are pending in this application and presented for examination. Claims 3-4, 7-9, 12-14, 16-17 and 22-23 have been found allowable. Reconsideration is respectfully requested.

#### **I. FORMALITIES**

Applicants would like to bring to the attention of the Examiner the Information Disclosure Statement filed June 13, 2002. The Examiner's initials do not appear on the form PTO/SB/08B document "BD". Applicants note that the reference listed as "BD" appeared as a "Y" reference on the previously submitted International Search Report. A copy of the previously submitted document and form PTO/SB/08B are enclosed for the convenience of the Examiner. The Examiner is respectfully requested to place his initials on the form in front of document "BD" and send a copy of the same to Applicants' undersigned representative.

#### **II. CLAIM OBJECTIONS**

Claims 18 and 19 were objected to as being of improper dependent form, as allegedly they did not further limit the subject matter of the claim from which they depend. In response, Applicants respectfully traverse the rejection.

Claim 18 recites a particular embodiment of Claim 3. In claim 18, Applicants claim the embodiment wherein the drug and the concomitant drug are both metabolized by the same molecular species of a drug-metabolizing enzyme in humans (*e.g.*, CYP3A4). Similarly, Claim 19 recites a particular embodiment of Claim 3. In claim 19, Applicants claim the embodiment wherein the concomitant drug is metabolized by the molecular species of the drug-metabolizing enzyme (*e.g.*, CYP3A4), which enzyme (*e.g.*, CYP3A4) is also inhibited by the drug. In this regard, the Examiner's attention is respectfully directed to page 3, line 30, bridging to page 4, line 2 of the application as filed.

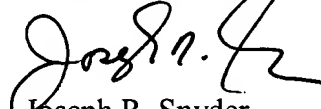
As such, Applicants believe claims 18 and 19 are properly dependent and therefore, respectfully request that the Examiner send this application to issue.

### III. CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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